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1635

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ekambar R. Kandimalla *et al.*

Serial No.: 10/054,429

Examiner: Epps-Ford, Janet L.

Filed: January 22, 2002

Group Art Unit: 1635

Title: COOPERATIVE OLIGONUCLEOTIDES

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: January 26, 2004

By:

Lisa A. Calder

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER OF RESPONSE TO NOTICE TO COMPLY WITH  
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Dear Commissioner:

Enclosed herewith for filing in the above-identified patent application are the following documents:

1. One copy of a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Reply to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures; and
3. Return postcard.

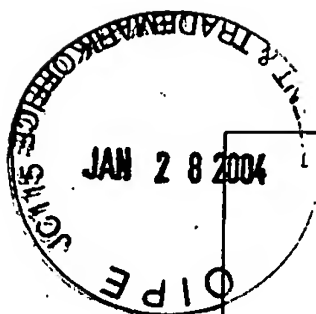
If there are any questions, please call the undersigned at the telephone number indicated below.

Date: January 26, 2004

Respectfully submitted,

James T. Olesen, Ph.D.  
Registration No. 46,967  
Attorney for Applicant

HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
Tel. (617) 526-6000  
Fax. (617) 526-5000



## Notice to Comply

Application No.

10/054,429

Examiner

Janet Epps-Ford

Applicant(s)

KANDIMALLA et al.

Art Unit

1635

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other :

#### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**

*Sequence Rules*

1. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. The sequence disclosures on pages 25-27 (Tables 2 and 3) are not included on the sequence listing. The reverse sequences according to SEQ ID NO: 1-7 are included on the Sequence listing. However, the sequences as listed in Table 2 that are located underneath the sequence **CTAGAAGGAGAGAGATGGGTGCGAGCG** are not located on the sequence listing. In particular, the sequence of the Oligo 1+8 on page 25, **CTTCCTCTCTCTACCCACGCTC**, nor the reverse sequence was not found on the Sequence listing filed 11-04-02 for this application.
2. A complete response to this Office Action requires that Applicants comply with the sequence rules, and that pending rejections be addressed. Any response that does not address all of these issues will be held as non-responsive. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet L. Epps-Ford, Ph.D. whose telephone number is ~~703-308-~~ <sup>Examiner Epps</sup> ~~0196~~ <sup>571-272-0757</sup>

~~7883~~. The examiner can normally be reached on Monday-Thursday, 8:30 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John L. LeGuyader can be reached on ~~703-308-0447~~. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. <sup>supervisor</sup> <sup>571-272-0760</sup>

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196. <sup>AAV</sup> <sup>703-340-3217</sup>

*Janet L. Epps-Ford*  
Janet L. Epps-Ford, Ph.D.  
Examiner  
Art Unit 1635

JLE